

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

KAMRAN M. MALIK,)	
)	
Petitioner,)	
)	
v.)	CRIMINAL ACTION NO. 03-171
)	APPEAL NO. 03-4647
UNITED STATES OF AMERICA,)	SUPREME COURT NO. 04-9021
)	
Respondent.)	

ORDER

Before the Court is Petitioner's Motion to be Admitted to Bond Pending Further Action. By Order dated July 25, 2004, this Court sentenced Petitioner, and Petitioner filed a Notice of an Appeal on August 4, 2004. On November 1, 2004, the United States Court of Appeals for the Fourth Circuit affirmed in part and denied in part Petitioner's appeal. On April 4, 2005, the Supreme Court of the United States granted certiorari, vacated the judgment, and remanded this case to the United States Court of Appeals for the Fourth Circuit. Petitioner's prior Notice of Appeal divests this Court of jurisdiction over consideration of this Motion, or any other motion relating to his appeal, which can only be considered by the Court of Appeals for the Fourth Circuit.

Accordingly, it is hereby

ORDERED that Respondent reply to Petitioner's motion within seven (7) days of the date of this Order; and it is further

ORDERED that this motion (doc. no. 45) and its memorandum in support (doc. no. 46) are TRANSFERRED to the United States Court of Appeals for the Fourth Circuit; and it is further

ORDERED that Petitioner send any further pleadings to:

Clerk of the United States Court of Appeals
for the Fourth Circuit
1100 E. Main St.
5th Floor
Richmond, VA 23219

The Clerk is DIRECTED to send a copy of this Order to the petitioner, and a copy of this Order with Petitioner's motion (doc. no. 45) and memorandum (doc. no. 46) to Respondent and the United States Court of Appeals for the Fourth Circuit.

ENTERED this ____14th____ day of July, 2005.

/s/

Gerald Bruce Lee
United States District Judge

Alexandria, Virginia
07/14/05